MURRAY BELL PLANNING CO.

BCC DS
RECEIVED
19/11/2026
APPLICATION REF
A007156160

Date: 13 November 2026
Ref: A006522634

Attn: Angela Cleary

Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Via Email (dalodgement@brisbane.qld.gov.au)

Dear Angela,

RE: MINOR CHANGE TO A DEVELOPMENT APPROVAL
DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - ROOMING ACCOMMODATION AND SHORT-TERM ACCOMMODATION
2, 6, 8 AND 10A RICHMOND ROAD, MORNINGSIDE QLD 4170

Reference is made to the development approval that was issued by the Brisbane City Council (Council) on the 4 July 2025 over the abovementioned property (A006522634). On behalf of the Applicant, Birchie Pty Ltd, a minor change to the development approval is sought in accordance with s78 and s81 of the Planning Act 2016.

Background

On 26 June 2020, the Planning and Environment Court issued a Development Permit (A004685280 and P&E Court Appeal 3844/2018) for a Material Change of Use for a Child Care Centre (110 places) and Multiple Dwelling (15 units).

An other change application (A005834767) was approved by Council on 9 June 2023. The development approval was amended to remove the previously approved Multiple Dwelling use and introduce small-scale Health Care Services and an Office.

A subsequent other change application (A006522634) was approved by Council on 27 June 2025, with the decision notice issued on 4 July 2025. The current development approval replaced the previously approved uses with Rooming Accommodation (86 rooms) and Short-term Accommodation (a maximum of 10 rooms at any one time). This is the relevant development approval currently in effect.

The development is currently under construction and is due for completion in December 2026 – January 2027.

Proposed Minor Change

The applicant has engaged with a prospective operator and seeks to incorporate a number of alterations that will improve the ongoing operation, maintenance and management of the building. The proposed minor change also includes several limited design refinements identified through the detailed design and construction process.

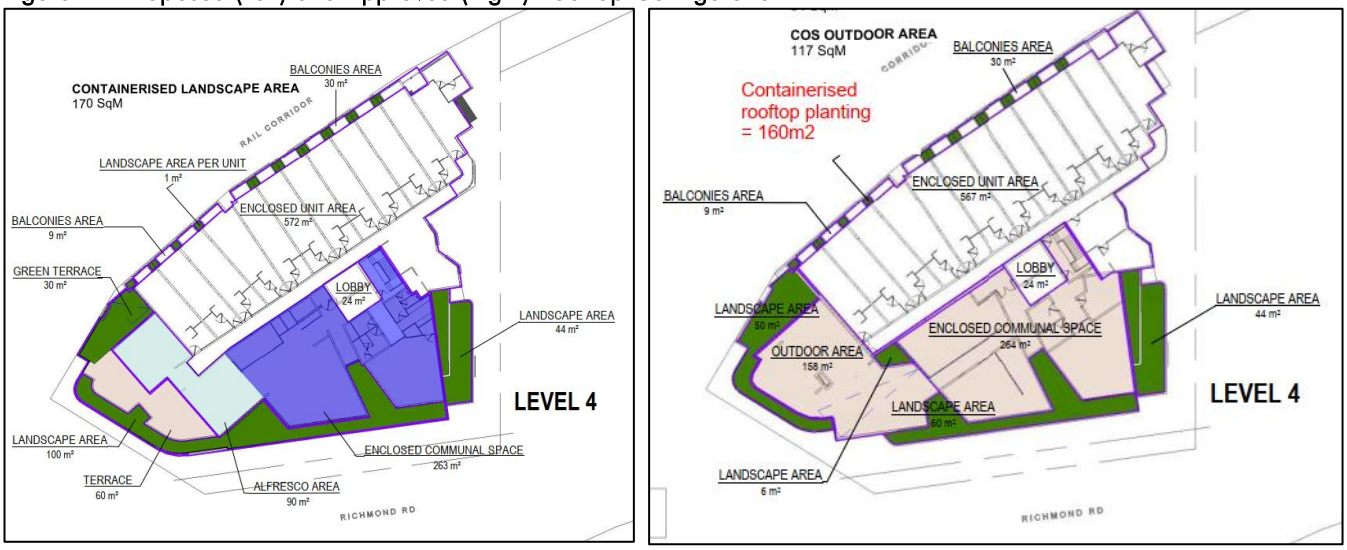
The proposed alterations are outlined below.

Level 4

In response to feedback from the prospective operator, enhanced weather protection is proposed to the rooftop lounge and kitchen area to improve the functionality and year-round usability of the communal facilities. Operable stacking doors are proposed around the outer perimeter of the lounge and kitchen area. These doors will allow the communal facilities to be enclosed during inclement weather and opened to the adjoining terraces during favourable conditions. This will enable residents to use the lounge and recreation areas more consistently, rather than only when weather conditions are suitable for outdoor rooftop recreation. The alterations will have a negligible effect on the appearance, bulk and scale of the building while significantly improving the functionality and amenity of the communal facilities.

The rooftop landscaping has also been reconsidered to provide a more consistent and higher-amenity edge to Richmond Road. A continuous landscaped perimeter is now proposed along the frontage, improving the building's presentation to the street and providing a greener outlook from the communal facilities.

Figure 1 – Proposed (Left) and Approved (Right) Rooftop Configuration



Corner Balconies

Operable glazing is proposed to the four corner balconies to mitigate railway noise generated by trains entering and departing the nearby Morningside railway station. Due to their position and orientation, these balconies experience elevated noise associated with the braking, acceleration and movement of trains near the station. The proposed glazing will reduce railway noise within the balconies and improve their usability and amenity. Its operable design will allow the balconies to remain open when conditions are suitable, ensuring that they retain their intended function as outdoor spaces while providing acoustic protection required to establish a comfortable recreational space. Noise Measurement Services has assessed the proposed balcony treatments and confirmed the relevant acoustic mitigation measures within the assessment included as Attachment 2.

Figure 2 – Proposed (Left) and Approved (Right) Corner Balconies



East Elevation

Minor adjustments are proposed to the dimensions and configuration of windows and openings along the eastern elevation to reflect standard glazing dimensions that can be readily sourced and installed. Privacy screening has also been incorporated in accordance with Council's previous amendments in red. These changes retain the approved privacy outcomes and will not materially alter the appearance or overall architectural character of the building.

Figure 3 – Proposed (above) and Approved (below) East Elevation



Table 1 - Summary of Proposed Changes

Plans and Documents	
Approved	Proposed Change
Site Plan DA-0.01 Rev 3 (Amended In Red 11-JUN-2025) 06-MAR-2025 (Received)	Retain. No amendment proposed.
Basement Plan DA-1.00 Rev 3 (Amended In Red 11-JUN-2025) 06-MAR-2025 (Received)	Retain. No amendment proposed.
Ground Floor Plan (Level 1) DA-1.01 Rev 3 (Amended In Red 11-JUN-2025) 06-MAR-2025 (Received)	Retain. No amendment proposed.
First Floor Plan (Level 2) DA-1.02 Rev 3 06-MAR-2025 (Received)	Retain. No amendment proposed.
Second Floor Plan (Level 3) DA-1.03 Rev 3 06-MAR-2025 (Received)	Retain. No amendment proposed.
Third Floor Plan (Level 4) DA-1.04 Rev 3 06-MAR-2025 (Received)	Replace with: Third Floor Plan (Level 4) DA-1.04 Rev 4
Elevations 1 & 2 DA-2.01 Rev 3 06-MAR-2025 (Received)	Replace with: Elevations 1 & 2 DA-2.01 Rev 4
Elevations 3 & 4 DA-2.02 Rev 3 (Amended In Red 11-JUN-2025) 06-MAR-2025 (Received)	Replace with: Elevations 3 & 4 DA-2.02 Rev 4
Roof Plan and Area Analysis DA-6.00 Rev 3 (Amended In Red 11-JUN-2025) 06-MAR-2025 (Received)	Replace with: Area Analysis 1 DA-6.00 Rev 4
RCV Swept Path Assessment and On-street Parking Arrangement - Concept Plan SK03 Rev E (Amended In Red 13-JUN-2025) 11-MAR-2025 (Received)	Retain. No amendment proposed.
Traffic Engineering and Waste Management Response Amended In Red 13-JUN-2025 16-MAY-2025 (Received)	Retain. No amendment proposed.
Landscape Concept Plan 170411 (Amended In Red 10-JUN-2025) 10-OCT-2024 (Received)	Retain. No amendment proposed.
Noise Impact Assessment Report 7191R2 (Amended In Red 13-JUN-2025) 11-FEB-2025	Retain. No amendment proposed.

Conditions of Approval	
Approved	Proposed Change
SARA Conditions	No amendment sought.
Council Conditions	No amendment sought.

Compliance with the Planning Act 2016

Assessing and Deciding Application for Minor Changes

In accordance with s81 of the *Planning Act 2016*, when assessing the change application, the responsible entity must consider—

(a) the information the applicant included with the application; and

This letter and associated supporting documents are considered to have provided all documentation to facilitate the processing of the application.

(b) if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and

The previous development application was impact assessable and subject to public notification. The approved list of submitters records 39 principal submitters. The proposed change is confined to the Level 4 communal layout and limited façade refinements and does not increase the approved accommodation capacity or alter the development's access, parking, waste or overall height.

The proposed changes do not materially alter the aspects of the approved development relevant to the submissions received. In particular:

- The approved uses, room numbers, building height, vehicle access, parking and servicing arrangements are unchanged;
- The revised landscaping is concentrated towards Richmond Road, improving the visual amenity and public presentation of the development; and
- The amended alfresco area will remain open-sided through the provision of stacking doors, however the amended design will further buffer the common areas from nearby residences. .

(c) any pre-request response notice or response notice given in relation to the change application; and

No pre-request response notice or response notice has been given in relation to the proposed change application. The State referral agency for the existing approval was the chief executive through SARA. As the chief executive is excluded from the affected entities identified by section 80(1)(a) of the Planning Act 2016, a pre-request notice is not required. No change is sought to the SARA conditions, and the amended proposal maintains compliance with the SARA response applying to the current development approval.

(d) if the responsible entity is, under section 78A(3), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and

Not applicable. The responsible entity is not the Minister.

(e) if the responsible entity is, under section 78A(4)(a), the chief executive—all matters the chief executive would or may assess against or have regard to, if the change application were a development application declared to be an application for State facilitated development under section 106D; and

Not applicable. The responsible entity is not the chief executive under section 78A(4)(a).

(f) if paragraphs (d) and (e) do not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and

The proposed change is capable of assessment against the same planning framework that applied to the existing approval. It does not introduce a new use or materially alter the approved height, yield, building envelope or external operation of the development. The operable glazing and screening refinements respond to existing transport-noise and privacy requirements.

Assessment Benchmarks
The previous development application was assessed against version 29.00/2023 of the Brisbane City Plan 2014.

Version 37 of the Brisbane City Plan 2014 has since come into effect, including Council's 'More Homes Sooner' amendment. This includes the site within a key location where a 4 storey building height and apartment form of development are supported.

While the proposed amendments are minor and comply with the relevant assessment benchmarks of both versions of the Planning Scheme, it is relevant that the current version of the planning scheme seeks to facilitate the height and scale of the development as an acceptable outcome.

Temporary Local Planning Instrument
No Temporary Local Planning Instruments are relevant to the proposal.

Adopted Charges
The proposed change does not increase the approved accommodation capacity or introduce a new use. Accordingly, no change to the existing Infrastructure Charges Notice is anticipated.

(g) another matter that the responsible entity considers relevant.

Given the limited nature of the proposed amendments, no additional relevant matters are required to assess the proposed change.

Determining whether the change is a "Minor Change"
In accordance with the definitions in Schedule 2 of the *Planning Act 2016*, a "minor change" means a change that— (b) for a development approval—

i. would not result in substantially different development;

Schedule 1 of the Development Assessment Rules (the DA Rules), a statutory instrument made under section 68(1) of the *Planning Act 2016*, provides guidance on what may constitute a "*substantially different development*" in the context of the meaning of a minor change to a development application or development approval. A change may be considered to result in a substantially different development if the proposed change:

Table 2 – Substantially Different Development Tests

Development Assessment Rules	Response
(a) involves a new use; or	The change does not involve a new use.
(b) results in the application applying to a new parcel of land; or	No new parcel of land is included in the application.
(c) dramatically changes the built form in terms of scale, bulk and appearance; or	The change does not dramatically alter the scale, bulk or appearance of the development. It maintains a site cover of 69% and the approved building height, accommodation capacity, and principal building

Development Assessment Rules	Response
	envelope. The operable glazing and minor adjustments to windows, openings and screening are limited façade refinements. Additional landscaping towards Richmond Road improves the building's presentation.
(d) changes the ability of the proposed development to operate as intended; or	The revised communal layout and façade treatments support the approved operation and do not alter access, parking, waste servicing or management arrangements. The amendments enhance the operation of the communal rooftop facilities and the amenity and usability of the four affected corner balconies.
(e) removes a component that is integral to the operation of the development; or	No component integral to the operation of the development is removed. The approved communal facilities are retained and reconfigured to provide a more functional and usable space for residents.
(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	The change does not increase the approved accommodation capacity and does not alter the access, parking or servicing arrangements. It will therefore have no effect on traffic flow or the transport network.
(g) introduces new impacts or increase the severity of known impacts; or	The change does not introduce a new impact or materially increase a known impact. The amendments do not materially alter the perceived form of the rooftop recreation area or building when viewed from the street and improve frontage amenity through the continuous landscaped perimeter along Richmond Road. The proposed operable glazing represents a targeted response to the existing noise emission impacting the site, which will enhance the amenity and utility of corner balconies.
(h) For a development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act – ▪ Introduces new social impacts or increase the severity of known social impacts; or	Not applicable. The approved development is not prescribed development requiring social impact assessment under section 106T of the Planning Act 2016.
(i) removes an incentive or offset component that would have balanced a negative impact of the development; or	The change does not remove an incentive or offset component that balances a negative impact of the development.
(j) impacts on infrastructure provisions	The change does not increase the approved accommodation capacity or change demand on infrastructure. Existing infrastructure and charging arrangements remain suitable.

i. if a development application for the development, including the change, were made when the change application is made would not cause—

A. the inclusion of prohibited development in the application; or

Prohibited development is not proposed.

B. referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or

The original application was referred to the chief executive through SARA. The proposed change would not cause referral to a referral agency other than the chief executive.

C. referral to extra referral agencies, other than to the chief executive; or

The proposed change would not cause referral to an additional referral agency other than the chief executive.

D. a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or

The proposed changes do not introduce new referral matters beyond those relevant to and assessed under the existing approval. The proposed changes do not impact on or prevent a SARA condition from being complied with.

E. public notification if public notification was not required for the development application

Not applicable. The original development application was impact assessable and was subject to public notification.

This letter demonstrates that the proposed changes do not impact on the nature or intent of the existing development permit, nor do they constitute a substantially different development. Accordingly, we request that Council approve the proposed Change Application as a Minor Change in accordance with Section 78 of the *Planning Act 2016*.

We trust the above and attached information is sufficient for Council's assessment. We look forward to your response in due course.

Please contact the undersigned should you require any further clarification or information on the proposed changes to the development.

Yours sincerely,



Sam Underwood
B. Urb. Env. Plan

Encl: Attachment 1 – Amended Proposal Plans
Attachment 2 – Acoustic Assessment